Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 17,805, 12 ta' Awissu, 2005
Taqsima B

A.L. 291 ta' l-2005

ATT DWAR IS-SIGURTÀ FL-IKEL (KAP. 449)

Regolamenti ta' l-2005 li jemendaw ir-Regolamenti dwar Materjali li jiġu f'Kuntatt ma' Oġġetti ta' l-Ikel

BIS-SAĦĦA tas-setgħat mogħtija bl-artiklu 10 ta' l-Att dwar is-Sigurtà fl-Ikel, il-Ministru tas-Saħħa, l-Anzjani u Kura fil-Komunità għamel ir-regolamenti li ġejjin:-

1. It-titolu ta' dawn ir-regolamenti hu Regolamenti ta' l-2005 li jemendaw ir- Regolamenti dwar Materjali li jiġu f'Kuntatt ma' Oġġetti ta' l-Ikel, u għandhom jinqraw u jiftiehmu bħala haġa waħda mar-Regolamenti ta' l-2003 dwar Materjali li jiġu f'Kuntatt ma' Oġġetti ta' l-Ikel, hawn iktar 'il quddiem imsejħin "ir-regolamenti prinċipali".

Titolu.

A.L. 138 ta' 2003.

2. Dawn ir-regolamenti jimplimentaw il-provvedimenti tad-Direttiva tal-Kummissjoni 2004/1/KE tal-6 ta' Jannar, 2004 u tad-Direttiva tal-Kummissjoni 2004/14/KE tad-29 ta' Jannar, 2004.

Skop.

3. (1) Dawn ir-regolamenti, ħlief għar-regolament 4, għandhom jidħlu fis-seħħ fl-2 ta' Settembru, 2005, iżda materjali u oġġetti mimlija qabel it-2 ta' Awissu 2005 jistgħu jibqgħu jinbiegħu sakemm id-data meta ġew mimlija tidher fuq il-materjali u l-oġġetti. Id-data meta jkunu ġew mimlija tista tinbidel b'indikazzjoni oħra, basta din l'indikazzjoni tkun tippermetti l-identifikazjoni tad-data tal-mili. Id-data meta jkunu ġew mimlija għandha tkun provduta wara li tintalab mill-awtorità tas-saħħa u minn kull persuna li tkun qiegħda tinforza dawn iddisposizzjonijiet. Dan għandu japplika mingħajr preġudizzju għad-disposizzjonijiet kollha li jinsabu fir-Regolamenti dwar Twaħħil ta' Tikketti, Preżentazzjoni u Riklamar ta' Oġġetti ta' l-Ikel.

Bidu fis-seħħ.

(2) Ir-regolamant 4 għandu jidħol fis-seħħ fid-29 ta' Jannar, 2006.

4. Minflok ir-Raba' Skeda li tinsab mar-regolamenti prinċipali għanda tidħol din l-Iskeda li ġejja:-

Jissostitwixxi r-Raba' Skeda li tinsab mar-regolamenti prinċipali.

"IR-RABA' SKEDA

Film taċ-Cellulosi Riġenerat

1. Din l-Iskeda fiha provvedimenti speċifiċi fis-sens tat-tifsira tar-regolament 4.

2. Din l-Iskeda għandha tapplika għal film taċ-ċellulosi riġenerat fil-kuntest tad-deskrizzjoni mogħtija fil-Parti A li jew:

(a) jikkostitwixxi prodotti finali fiha nfisha; jew

(b) jifforma parti minn prodott finali li fih materjali oħra, u li huma maħsubin biex jiġu f'kuntatt ma' oġġetti ta' l-ikel jew li, minħabba l-iskop tagħhom, jiġu fil-fatt f'dan it-tip ta' kuntatt.

3. Din l-Iskeda ma tapplikax għal kisi sintetiku ta' ċellulosi riġenerata.

4. Il- film taċ-ċellulosi riġenerat msemmi fil-paragrafu 2 għandu jkun xi wieħed minn dawn it-tipi li ġejjin:

(a) film taċ-ċellulosi riġenerat mhux miksi;

(b) film taċ-ċellulosi riġenerat miksi fejn il-kisja hi derivata minn ċellulosi; jew

(ċ) film taċ-ċellulosi riġenerat u miksi fejn il-kisja hi magħmula minn plastiċi.

5. Film taċ-ċellulosi riġenerat li hemm referenza għalih f'punti (a) u (b) ta' paragrafu 4 għandu jiġi biss manifatturat mis-sustanzi jew grupp ta' sustanzi elenkati fil-Parti B u biss taħt ir-restrizjonijiet imniżżlin hemmhekk.

6. B'mod ta' deroga mill-paragrafu 5, sustanzi barra minn dawk elenkati fil-Parti B jistgħu jintużaw meta dawn is-sustanzi jintużaw bħala materja koloranti (żebgħat u pigmenti) jew bħala adeżivi, b'dan iżda li ma jkun hemm ebda traċċa ta' migrazzjoni tas-sustanzi fl-oġġetti ta' l-ikel jew fuqhom li tista' tinduna biha b'metodu validat.

7. Film taċ-ċellulosi riġenerat msemmi f'paragrafu 4 (ċ) għandu jiġi manifatturat, qabel ma jiġi miksi, mis-sustanzi jew grupp ta' sustanzi elenkati fl-Ewwel Patri ta' l-Anness li jinsab mad-Direttiva 93/10/KEE, kif emendat bid-Direttiva 93/111/KE u d-Direttiva 2004/14/KE, u taħt ir-restrizzjonijiet hemm imniżlin.

8. Il-kisi li għandu jiġi applikat lil film taċ-ċellulosi riġenerat msemmi f'paragrafu 7 għandu jkun manifatturat biss mis-sustanzi jew grupp ta' sustanzi elenkati fl-Annessi II sa VI li jinsabu mad-Direttiva 2002/72/KE, u taħt ir-restrizzjonijiet hemm imniżżlin.

9. Bla preġudizzju għal paragrafu 7, materjali u oġġetti magħmulin minn film taċ-ċellulosi riġenerat msemmi f'paragrafu 4 (ċ) għandhom ikunu jikonformaw mal-paragrafi 5 u 13 sa 17 tal-Ħames Skeda.

10. Superfiċji stampati ta' film taċ-ċellulosi riġenerat ma għandhomx jiġu f'kuntatt ma' l-oġġetti ta' l-ikel.

11. Fl-istadji tal-bejgħ, minbarra fl-istadju tal-bejgħ bl-imnut, materjali u oġġetti magħmulin minn film taċ-ċellulosi riġenerat biex jiġu f'kuntatt ma' oġġetti ta' likel, għandu jkollhom magħhom dikjarazzjoni bil-miktub skond ir-regolament 7.5.

12. Il-paragrafu 11 ma japplikax għal materjali u oġġetti magħmulin minn film taċ-ċellulosi riġenerat li minn natura tagħhom jidher ċar li jkunu maħsubin biex jiġu f'kuntatt ma' oġġetti ta' l-ikel.

13. Meta jkunu indikati kondizzjonijiet speċjali ta' użu , il-materjal jew oġġett magħmul minn film taċ-ċellulosi riġenerat għandu jkollu tikketta li tkun turi dan.

Parti A

Deskrizzjoni ta' Film taċ-Cellulosi Riġenerat

Film taċ-ċellulosi riġenerat hu pjanċa ta' materjal irqiq meħuda minn ċellulosi raffinat meħuda minn injam jew qoton mhux riċiklati. Biex tissodisfa ħtiġiet tekniċi, sustanzi adatti jistgħu jiżdiedu jew mal-massa jew fuq is-superfiċi. Film taċ-ċellulosi riġenerat jista' jinkesa minn naħa waħda jew miż-żewġ nahat.

Parti B

*Lista ta' Sustanzi Awtorizzati biex Jintużaw fil-Manifattura ta' Film taċ-Cellulosi Riġener***at**

Skond it-Tieni Anness li jinsab mad-Direttiva tal-Kummissjoni 93/10/KEE (OJ L 93, 17.4.1993, p. 27), kif emendat bid-Direttiva tal-Kummissjoni 93/111/KE (OJ L 310, 14.12.1993, p. 41) u bid-Direttiva tal-Kummissjoni 2004/14/KE (OJ L 27, 30.1.2004, p.48).

Kopji ta' l-Annessi hawn qabel imsemmija għandhom ikunu aċċessibbli għall-pubbliku ġenerali mid-Direttorat għall-Oġġetti ta' l-Ikel, Kimiċi u Kosmetiċi ta' l-Awtorità Maltija dwar l-Istandards.".

Jemenda l-Ħames Skeda li tinsab mar-regolamenti prinċipali.

5. Dan li ġej għandu jiżdied fil- Parti III Sezzjoni A tal-Ħames Skeda:-

"8. Direttiva tal-Kummissjoni 2004/1/KE (OJ L 7, 13.1.2004, p.45)".

L.N. 291 of 2005

FOOD SAFETY ACT
(CAP. 449)

Materials in Contact with Foodstuffs (Amendment) Regulations, 2005

IN exercise of the powers conferred by article 10 of the Food Safety Act, the Minister of Health, the Elderly and Community Care has made the following regulations:-

1. The title of these regulations is the Materials in Contact with Foodstuffs (Amendment) Regulations, 2005, and they shall be read and construed as one with the Materials in Contact with Foodstuffs Regulations, 2003, hereinafter referred to as "the principal regulations". Citation. L.N. 138 of 2003.

2. These regulations implement the provisions of Commission Directive 2004/1/EC of the 6 January, 2004 and Commission Directive 2004/14/EC of the 29 January, 2004. Scope.

3. (1) These regulations, other than regulation 4, shall come into force on the 2nd September, 2005, provided that materials and articles filled before 2 August 2005 may continue to be placed on the market provided that the date of filling appears on the materials and articles. The date of filling may be replaced by another indication, provided that the indication permits the identification of the date of filling. Upon request the date of filling shall be made available to the health authority and any person enforcing these provisions. This shall apply without prejudice to the requirements provided for in the Labelling, Presentation and Advertising of Foodstuffs Regulations. Commencement.

(2) Regulation 4 shall come into force on the 29th January, 2006.

4. For the Fourth Schedule to the principal regulations, there shall be substituted the following:- Substitutes the Fourth Schedule to the principal regulations.

"FOURTH SCHEDULE

Registered Cellulose Film

1. This Schedule contains specific provisions within the meaning of regulation 4.

2. This Schedule shall apply to regenerated cellulose film within the meaning of the description given in Part A which either:

(a) constitutes a finished product in itself; or

(b) forms part of a finished product containing other materials, and which is intended to come into contact with foodstuffs or which, by virtue of its purpose, does come into such contact.

3. This Schedule does not apply to synthetic casings of regenerated cellulose

4. The regenerated cellulose film referred to in paragraph 2 shall belong to one of the following types:

(a) uncoated regenerated cellulose film;

(b) coated regenerated cellulose film with coating derived from cellulose; or

(c) coated regenerated cellulose film with coating consisting of plastics.

5. Regenerated cellulose film referred to in points (a) and (b) of paragraph 4 shall be manufactured using only substances or groups of substances listed in Part B subject to the restrictions set out therein.

6. By way of derogation from paragraph 5, substances other than those listed in Part B may be used when these substances are employed as colouring matter (dyes and pigments) or as adhesives, provided that there is no trace of migration of the substances into or onto foodstuffs, detectable by a validated method.

7. Regenerated cellulose film referred to in paragraph 4 (c) shall be manufactured, prior to coating, using only substances or groups of substances listed in the First Part of Annex II of Directive 93/10/EEC, as amended by Directive 93/111/EC and Directive 2004/14/EC, subject to the restrictions set out therein.

8. The coating to be applied to the regenerated cellulose film referred to in paragraph 7 shall be manufactured using only substances or groups of substances listed in Annexes II to VI to Directive 2002/72/EC, subject to the restrictions set out therein.

9. Without prejudice to paragraph 7, materials and articles made of regenerated cellulose film referred to in paragraph 4 (c) shall comply with paragraphs 5 and 13 to 17 of the Fifth Schedule.

10. Printed surfaces of regenerated cellulose film shall not come into contact with the foodstuffs.

11. At the marketing stages other than the retail stages, materials and articles made of regenerated cellulose film intended to come into contact with foodstuffs shall be accompanied by a written declaration in accordance with regulation 7.5.

12. Paragraph 11 does not apply to materials and articles made of regenerated cellulose film which by their nature are clearly intended to come into contact with foodstuffs.

13. Where special conditions of use are intended, the material or article made of regenerated cellulose film shall be labelled accordingly.

Part A

Description of Regenerated Cellulose Film

Regenerated cellulose film is a thin sheet material obtained from a refined cellulose derived from unrecycled wood or cotton. To meet technical requirements, suitable substances may be added either in the mass or on the surface. Regenerated cellulose film may be coated on one or both sides.

Part B

List of Substances Authorized in the Manufacture of Regenerated Cellulose Film

As stipulated by Annex II of Commission Directive 93/10/EEC (OJ L 93, 17.4.1993, p.27), as amended by Commission Directive 93/111/EC (OJ L 310, 14.12.1993, p.41) and by Commission Directive 2004/14/EC (OJ L 27, 30.1.2004, p.48).

Copies of the abovementioned Annexes shall be accessible to the general public at the Foodstuffs, Chemicals and Cosmetics Directorate of the Malta Standards Authority.".

Amends the Fifth Schedule to the principal regulations.

5. The following shall be added to Part III Section A of the Fifth Schedule:-

"8. Commission Directive 2004/1/EC (OJ L 7, 13.1.2004, p.45)".

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